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Report of the Working Group on the Universal Periodic Review*

Ecuador

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Ecuador was held at the 2nd meeting, on 1 May 2017. The delegation of Ecuador was headed by the Minister of Foreign Affairs and Human Mobility, Guillaume Long. At its 10th meeting, held on 5 May 2017, the Working Group adopted the report on Ecuador.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Ecuador: Bolivia (Plurinational State of), Côte d'Ivoire and Republic of Korea.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Ecuador:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/ECU/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/ECU/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/ECU/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Ecuador through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation reaffirmed the profound commitment of Ecuador to human rights and highlighted the significant progress made since the previous universal periodic review and, more generally, during the decade of the Government of the Citizens' Revolution.

6. Ecuador was a party to all existing international human rights conventions and treated all human rights as indivisible, interdependent and of equal importance. However, human rights could not be guaranteed in the presence of extreme poverty, inequality and anti-democratic asymmetries in the distribution of power.

7. The 2008 Constitution had introduced a new social contract and set the basis for the construction of a State of "good living" by rethinking the traditional concept of development. Within that framework, and despite many challenges, the Government was working to implement public policies aimed at protecting the human rights of the citizens of Ecuador.

8. Ecuador considered that poverty was a multidimensional phenomenon and that fighting it was crucial to guarantee human rights. Between 2009 and 2016, the multidimensional poverty rate in Ecuador had dropped from 27.2 per cent to 16.9 per cent as a result of increased access to employment, education, social security, water and housing. Ecuador was also a global leader in fighting inequality, having reduced the Gini coefficient by eight points despite the systematic rejection by the Ecuadorian elites of any tax reform aimed at ensuring the redistribution of wealth necessary to protect human rights.

9. The delegation noted the promulgation in 2014 of the Organic Act on National Equality Councils and referred to other important achievements, such as the criminalization

of femicide and of physical, sexual and psychological violence; the high level of women's political participation; the recognition of same-sex civil unions; and the enactment of the Organic Act on Identity and Civil Data Management.

10. In line with the constitutional principle of "good living", Ecuador had fully recognized the right to decent work and reduced the unemployment rate to 5.2 per cent, one of the lowest in the region. Moreover, during the decade of the Citizens' Revolution, the budget for public health had been eight times greater than during the previous decade. The right to education was also guaranteed, with substantive investment in infrastructure and improvements to quality at all levels.

11. With regard to the environment, the delegation indicated that 34 per cent of Ecuadorian territory was currently protected. Ecuador had also built nine hydroelectric plants; as a result, more than 90 per cent of the country's electricity came from renewable sources.

12. Ecuador was an international point of reference for the protection of the rights of persons with disabilities: indeed, the President-elect, Lenin Moreno, had previously held the post of Special Envoy of the Secretary-General on Disability and Accessibility. The delegation also mentioned the significant improvement in morbidity and mortality rates and noted that Ecuador had successfully reduced the child labour rate from 12.5 per cent in 2007 to 5.9 per cent in 2015.

13. Ecuador was one of the few States whose multinational and intercultural nature was recognized in its Constitution. It also had advanced legislation in the field of human mobility and welcomed the largest number of refugees in Latin America.

14. The delegation highlighted the comprehensive transformation of the penitentiary system, which included, inter alia, an investment of more than $300 million to combat overcrowding and allow adequate social reintegration; an increase of 50 per cent in the number of judges per 100,000 inhabitants and measures to improve the efficiency of the justice system while ensuring the independence of the judiciary.

15. Ecuador enjoyed a vibrant democracy and guaranteed freedom of association and expression. The delegation noted that discriminatory or defamatory messages could be spread by the media and that, therefore, the 2013 Organic Act on Communication, while guaranteeing the right to freedom of expression, also gave rise to responsibilities for the opinions expressed.

16. Ecuador had been able to guarantee the enjoyment of human rights during the humanitarian emergency caused by the April 2016 earthquake. In the wake of the earthquake, Ecuador had reconstructed 912 schools and 9 health centres and completed the construction of 12,220 homes.

17. Ecuador had taken several initiatives at the international level, such as the development of a binding legal instrument on transnational corporations and human rights. Ecuador was committed to strengthening the global agenda for fiscal justice and the creation of an intergovernmental fiscal body.

18. To conclude, the delegation stressed that Ecuador had been able to achieve those positive results presented through creative and sovereign political decisions. It had introduced a new social pact to promote both human beings and nature, a comprehensive and sustainable concept of development called "good living", and an heterodox vision of financing development and had rethought its international relations. That had allowed Ecuador to meet 20 of the 21 targets of the Millennium Development Goals and transform the human rights situation in the country.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 83 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

20. The Bolivarian Republic of Venezuela welcomed the fact that from 2006 to 2016 1.5 million people had been lifted out of poverty and that between 2008 and 2016 investment in education had increased almost 300 per cent.

21. Algeria welcomed the State's effective engagement to promote women's participation in public life and improve the system of social rehabilitation, including by improving the prison infrastructure and establishing a new management model.

22. Angola welcomed the National Plan for Good Living 2013-2017, the 2012 Organic Act on Disabilities and the policies aimed at eradicating poverty. Angola noted with concern inequalities between different social groups.

23. Argentina welcomed the adoption of the national education plan 2016-2025. It noted that special attention should be paid to the fight against impunity.

24. Armenia commended the adoption of legislation setting the minimum age of marriage at 18 and encouraged Ecuador to address sexual violence against girls in the education system and update the national plan to combat trafficking and sexual and labour exploitation.

25. Australia was concerned by the high incidence of violence against women, while noting the steps taken to combat gender-based violence. It was further concerned by the removal and appointment of judges through mechanisms that might be perceived as undermining judicial independence.

26. Azerbaijan noted that, further to the recommendation it had made during the second review cycle concerning measures aimed at reducing poverty, Ecuador had made efforts and increased investment in social programmes, despite budgetary constraints.

27. The Bahamas noted the remarkable reduction in poverty and inequality. It considered noteworthy the increased political participation of women, reductions in unemployment and pretrial detention and championing of disability rights.

28. Bangladesh noted the reduction in income inequality during the previous decade. It considered the State's model of universal health-care access and promotion of migrant's rights to be exemplary. It noted that the independence of the judiciary was the cornerstone fundamental to ensuring human rights.

29. Belarus welcomed the measures guaranteeing socioeconomic rights, including by increasing the funding for and coverage of the social welfare system. Further efforts in the field of education would create favourable conditions for full and active participation in public life.

30. Belgium welcomed the measures to combat forced child labour and the increased budgets for education and children's health. It expressed concern regarding the growing obstacles to freedom of expression and association and to the work of human rights defenders.

31. The Plurinational State of Bolivia welcomed legislative measures to fight discrimination and reforms promoting the right to good living, such as the reduction in illiteracy, particularly among indigenous women and the rural population.

32. Botswana noted the State's efforts to improve the criminal justice system, but expressed concern regarding the frequent use by the Council of the Judiciary of the internal disciplinary system to dismiss judges and the imposition of harsh sentences on government critics and opposition members.

33. Brazil commended the ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and the 1961 Convention on the Reduction of Statelessness. It welcomed the criminalization of torture and offences referred to in the Rome Statute of the International Criminal Court.

34. Canada welcomed the adoption of certain laws on freedom of association and civic space. It encouraged Ecuador to further its efforts to ensure the full alignment of the State's domestic laws with its international human rights obligations.

35. Chile welcomed the adoption of the Comprehensive Criminal Code, which criminalized femicide. Chile expressed concerns regarding the delay in the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

36. China welcomed the measures taken to promote the rights of persons with disabilities, women and minorities, to eradicate illiteracy, to combat violence against women, to reform the judiciary and to improve prison infrastructure.

37. Costa Rica welcomed the State's investment in social programmes. It also highlighted the increase in women's political participation, the implementation of the National Plan for Good Living and the progress made with regard to access to justice.

38. Côte d'Ivoire noted that progress in the field of human rights should lead towards the full establishment of the rule of law. Despite major ongoing challenges, human rights promotion and protection should be the priority in reconstruction efforts.

39. Cuba welcomed the advances in the health, education, and the rights of people with disabilities, of children and of women. It also appreciated the implementation of the SIDERECHOS (Sistema de Información sobre Derechos Humanos, namely the human rights information system) web platform and the State's leadership in the promotion of a legally binding instrument on transnational corporations and human rights.

40. Czechia appreciated the State's informative presentation, which included responses to some of its advance questions.

41. The Democratic People's Republic of Korea noted the adoption of positive policies and programmes for vulnerable people and the strengthening of national human rights institutions.

42. Djibouti welcomed the State's ratification of the core international human rights instruments and its full cooperation with most human rights mechanisms.

43. The Dominican Republic welcomed the implementation of the National Plan for Good Living and the State's achievements with regard to the rights of vulnerable groups. It also highlighted the leadership of Ecuador in the promotion of a legally binding instrument on transnational corporations and human rights.

44. Egypt congratulated Ecuador for its promotion of all human rights and for the advances made in the areas of poverty reduction, education, health and housing, among others.

45. El Salvador welcomed the fact that Ecuador had a national human rights institution with A status and praised the adoption of the National Plan for Good Living and the law on disabilities.

46. Estonia recognized some positive developments and took note with regret that no special procedure mandate holders had visited the country despite numerous requests and the State's standing invitation.

47. Ethiopia commended the legal and policy framework adopted by Ecuador and noted with satisfaction achievements such as the participation of women in public life and the investment in social poverty eradication programmes.

48. France thanked the State for presenting its progress in human rights, especially in the areas of health and the fight against poverty, and its efforts to improve the legislative framework on women's and lesbian, gay, bisexual, transgender and intersex rights.

49. Georgia noted the introduction of the Organic Act on National Equality Councils and the Organic Act on Disabilities. It welcomed the ratification of the Convention on the Reduction of Statelessness and the prioritizing of eradication of gender-based violence.

50. Germany commended the progress made, especially the State's investment in education and health and the decrease in poverty. It remained concerned about the shrinking space for civil society.

51. Ghana welcomed the ratification of the ILO Workers with Family Responsibilities Convention, 1981 (No. 156) and the adoption of both the Comprehensive Criminal Code and the National Plan for Good Living 2013-2017. It was concerned about discrimination against women and Afro-Ecuadorians.

52. Greece acknowledged the adoption of the Comprehensive Criminal Code and the criminalization of torture. It welcomed the adoption of the National Plan for Good Living and the Organic Act on Disabilities.

53. Guatemala welcomed the adoption of the Organic Act on National Equality Councils. It urged Ecuador to implement a national policy to fight racism and discrimination, with the effective participation of groups that faced discrimination.

54. Haiti praised the success of social and economic programmes, especially in reducing poverty and inequality. It welcomed improvements in the rights of women, especially their participation in public life.

55. Honduras underscored outstanding achievements in the reduction of poverty and income inequality. It congratulated Ecuador for extending an invitation to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

56. Hungary welcomed the significant efforts made in the field of education and the increase in girls' enrolment. It was concerned by the persistence of discrimination against women and encouraged Ecuador to combat gender stereotypes.

57. Iceland noted the steps taken to promote gender equality. It noted with regret restrictive legal requirements for abortions. Iceland asked about steps taken to implement the recommendations Ecuador had accepted in the previous review cycle on the issue of banning corporal punishment.

58. Indonesia commended Ecuador for reducing inequalities and noted the adoption of the Organic Act on National Equality Councils and the Act on Health Care and Medical Assistance.

59. The Islamic Republic of Iran noted the progress made to improve prison infrastructure, the participation of women in public life and in the education system and the increased investment in social programmes.

60. Iraq commended Ecuador for the progress made with regard to ensuring gender equality in participation in public life, combating racial discrimination and tackling illiteracy.

61. Ireland noted the progress made in promoting the rights of children and urged Ecuador to introduce legislation to prohibit corporal punishment. It was concerned at reports of the excessive use of force by security forces during protests and demonstrations.

62. Israel stated that despite some progress in specific areas, many issues still raised concern.

63. Italy noted the State's achievements in implementing the National Plan for Good Living and encouraged Ecuador to continue its efforts to promote and protect human rights.

64. In response to some of the questions received, the delegation stated that Ecuador had adopted a number of laws to protect human rights, such as the 2014 Comprehensive Criminal Code, which codified crimes against humanity; the Organic Act on Labour Justice, which regulated the conditions of domestic work, guaranteed access to social security for housewives and prohibited the dismissal of pregnant women, the 2015 law amending the Civil Code prohibiting the marriage of persons under the age of 18 and establishing that either spouse could administer their "conjugal society". In 2012 the National Assembly had regulated the process of pre-legislative consultation and applied it to the drafting of a number of laws. The delegation stressed that never before had legislative processes had such a high level of citizen participation.

65. The transformation of the Ecuadorian justice system had received international recognition and was highly valued by the population. Ecuador implemented rigorous merit-

based selections of judicial officials, complemented by a disciplinary system in line with the Constitution, international treaties and the jurisprudence of the Inter-American Court of Human Rights. In that regard, the delegation highlighted that the legal concept of "inexcusable error" was also used in other countries and did not affect judicial independence.

66. In Ecuador, freedoms of expression and opinion were constitutionally guaranteed and were part of the core group of rights that were directly applicable. The 2013 Organic Act on Communication had been drafted in a participatory manner and was consistent with article 19 of the International Covenant on Civil and Political Rights. The law expressly prohibited prior censorship, protected those participating in the communication process, promoted intercultural communication, contained clear provisions against discrimination and included, for the first time, the right to reply and rectification, as foreseen under article 14 of the American Convention on Human Rights.

67. The delegation stressed that the law on communication covered administrative infractions only, clearly defined the acts that constituted violations and their respective reparations and fully guaranteed the right to defence.

68. Ecuador highlighted that its security policy was people-centred and that the national police had adopted a community-based approach. As a result, Ecuador had experienced a drastic reduction in crime and was now one of the safest countries in the region. In 2015, the armed forces had been allowed, through a constitutional amendment, to provide complementary support to the police in strict compliance with the law. In order to implement that mandate, members of the armed forces had been trained in human rights and clear protocols had been established.

69. The delegation also stressed that a state of exception or emergency had been declared during natural disasters, such as the 2015 eruption of the Cotopaxi volcano and the 2016 earthquake, to allow the Government to take appropriate measures to protect the rights of the population. Notifications of all emergency decrees had been submitted to the Constitutional Court and international organizations.

70. Libya noted the positive developments in the area of sustainable development and the protection of human rights, including the implementation of the National Plan for Good Living.

71. Liechtenstein stated that, in the Comprehensive Criminal Code, the classification of offences committed in the context of armed conflicts did not cover all the acts contained in the Rome Statute of the International Criminal Court. It noted that a law on prohibiting corporal punishment had not yet been enacted.

72. Malaysia noted the adoption of the National Plan for Good Living 2013-2017, efforts to encourage the participation of women in all levels of decision-making and an increase in spending in education.

73. The Maldives commended Ecuador for its initiatives to eradicate poverty and promote inclusive education for children with special needs. It acknowledged the progress made in reducing unemployment.

74. Mexico recognized the progress made by Ecuador in the fight against discrimination. It welcomed the legislation on human mobility, aimed at protecting the rights of migrants, refugees and asylum seekers.

75. Montenegro encouraged Ecuador to strengthen and consolidate an environment for the work of human rights activists. It commended the progress achieved in education, but noted challenges in access to education of indigenous and Afro-Ecuadorian women.

76. Morocco noted the efforts of Ecuador to implement the Millennium Development Goals and the Sustainable Development Goals and the progress achieved in education, as a part of efforts to achieve Sustainable Development Goal 4, including an increase in investments to promote free and inclusive quality education.

77. Mozambique noted the devastating consequences of the earthquake in 2016. It commended Ecuador for its efforts to reduce poverty and for its successful implementation of a gender-affirmative policy.

78. Myanmar commended Ecuador for its active engagement with the United Nations human rights mechanisms and for its efforts to ensure equal access and opportunities to vulnerable groups, including persons with disabilities.

79. Namibia noted that despite the 2016 earthquake, Ecuador had made progress in the areas of poverty eradication, education, health and the protection of vulnerable groups. Namibia could benefit from the State's experience in reducing the inequality gap.

80. The Netherlands noted the State's engagement in the area of business and human rights. It noted that the separation of powers between the executive and the judicial branches of government, the space for civil society and the protection of human rights by businesses did not meet international standards.

81. Nicaragua noted with appreciation the Millennium Development Goals that had been attained by Ecuador, the reduction in inequality and the advances in the field of the right to education, among others.

82. Norway noted measures taken in line with the recommendations made during the previous review and the progress made in promoting the rights of women.

83. Pakistan noted the efforts of Ecuador to implement the recommendations received during the previous universal periodic review and to promote and protect human rights.

84. Panama acknowledged the State's efforts to eradicate statelessness and its accession to the Convention on the Reduction of Statelessness. Panama also highlighted the enactment of legislation on a standardized identity document for both nationals and foreigners.

85. Paraguay welcomed the criminalization of femicide and of discrimination on grounds of sex, sexual orientation and gender identity. It also welcomed the implementation of the national plan to eradicate gender-based violence against women, children and adolescents.

86. Peru appreciated the significant reduction in poverty and inequality, the significant progress made in health coverage and education and the measures taken to include persons with disability.

87. The Philippines commended Ecuador for reducing inequality and increasing investment in public education. It noted the State's continued commitment to human rights, despite the challenges resulting from the 2016 earthquake.

88. Portugal commended the implementation of the National Plan for Good Living 2013-2017, the 2012 Organic Act on Disabilities and the national plan to eradicate gender-based violence against women, children and adolescents.

89. The Republic of Korea welcomed the comprehensive legislation and policy framework for the elimination of discrimination against women, persons with disabilities and minorities. It encouraged Ecuador to continue its efforts to improve national laws and policies so as to ensure full respect for human rights.

90. The Russian Federation noted the implementation of recommendations from the previous review, the Government's efforts to combat corruption and the results of various social projects.

91. Sierra Leone commended the State's efforts to promote human rights, notably through its national education plan 2016-2025 and the Comprehensive Criminal Code. It noted reports on poverty and the marginalization of Afro-Ecuadorians.

92. Singapore commended the efforts of Ecuador in dealing with the devastating earthquake. It recognized the commitment to eradicating poverty and raising the standard of living through programmes such as My First Job.

93. Slovakia acknowledged the State's efforts to tackle gender-based violence. It commended Ecuador for the adoption of the new Organic Act on Human Mobility. It was concerned about the penitentiary and criminal provisions used against human rights defenders.

94. Slovenia was concerned about women's limited access to therapeutic abortions. It encouraged Ecuador to reduce the discrepancy in access to education between the general population and the indigenous population.

95. South Africa commended Ecuador for the increased investment in social programmes and the work undertaken in the context of the International Decade for People of African Descent.

96. Spain underscored measures adopted to reform the judiciary in order to strengthen its independence, in line with previous recommendations made by Spain and accepted by Ecuador in the context of the universal periodic review process.

97. Sri Lanka highlighted the Government's efforts to implement the National Plan for Good Living 2013-2017 and, following the earthquake of April 2016, encouraged the State to invest in disaster risk reduction measures.

98. The State of Palestine underscored the State's efforts on quality education and the environment, as well as the progress achieved in the implementation of accepted recommendations from the previous review.

99. Sweden stated that, despite the fact that Ecuador had accepted previous review recommendations on freedom of expression, a new communications law had been passed in 2013 that limited freedom of expression and allowed the Government to restrict the media.

100. Switzerland was concerned about the situation relating to freedom of expression and the harassment and intimidation of civil society organizations, particularly those that defended the rights of indigenous peoples, minorities and human rights defenders.

101. Thailand applauded the establishment of the national equality councils but remained concerned by ongoing discrimination on the basis of gender and race. It welcomed the development of the SIDERECHOS platform.

102. Timor-Leste welcomed the adoption of the Comprehensive Criminal Code, the Organic Act on National Equality Councils and the National Plan for Good Living 2013-2017. It also appreciated the efforts made to promote and protect women's rights.

103. Turkey welcomed the introduction of a minimum age for marriage, namely 18 years, in line with previous recommendations. It also welcomed the increased participation of women in public life and encouraged the State to strengthen efforts to promote and protect women's rights.

104. Uganda noted the ratification of the ILO Domestic Workers Convention, 2011 (No. 189), the ILO Workers with Family Responsibilities Convention, 1981 (No. 156) and the Convention on the Reduction of Statelessness, in line with previous recommendations. It welcomed the National Plan for Good Living and the Organic Act on Disabilities.

105. Ukraine encouraged Ecuador to continue its efforts to implement and update an information system to follow up on recommendations made by human rights mechanisms, combat racism and racial discrimination and ensure the proper functioning of the Ombudsman's Office.

106. The United Kingdom of Great Britain and Northern Ireland urged an equitable and balanced application of the Organic Act on Communication. It encouraged Ecuador to respect the rights of indigenous people and to consult them fully on projects that might have an impact on them.

107. The United States of America was concerned about the restrictions on freedom of speech and on civil society organizations and about the lack of judicial independence caused by the executive branch exerting pressure on the judiciary.

108. Uruguay welcomed the State's achievements in the fields of health, child labour and efforts to fight discrimination on grounds of sexual orientation and gender identity.

However, it was concerned about cases of forced internment of lesbian, gay, bisexual, transgender and intersex people in so-called rehabilitation centres.

109. The delegation of Ecuador reaffirmed that human rights were central to the State's policies and enumerated a number of initiatives in that regard, such as the establishment of the Ministry of Justice, Human Rights and Religious Affairs, the creation of the Truth Commission to investigate serious human rights violations committed between 1984 and 2008 and the enactment of the "Victims' Law", which created the intangible reparation programme implemented by the Ombudsman's Office.

110. The eradication of gender-based violence was also a national priority and the State was implementing its national plan to eradicate gender-based violence against women, children and adolescents. The delegation reaffirmed that Ecuador did not criminalize social protest and there were no political prisoners or human rights defenders in detention.

111. In 2011, Ecuador had created the national preventive mechanism, with specialized staff, adequate funding and full access to detention centres.

112. Ecuador thanked the United Nations for its support in establishing SIDERECHOS, a computer platform that had been used for the preparation of its universal periodic review report and would be crucial to ensure the follow-up to the recommendations received.

113. With regard to freedom of association, the delegation noted that Ecuador recognized all forms of organizations and had strengthened their participation at all levels of government. The State's commitment to freedom of association was also demonstrated by the increase in the number of organizations registered in the unified information system on social organizations from 1,270 in 2011 to 90,464 in 2017.

114. Ecuador provided universal and free health coverage for both Ecuadorians and foreigners. It had removed the barriers that had prevented access to health for vulnerable or marginalized groups and eliminated all forms of discriminatory or degrading treatment. Within that framework, the State had explicitly prohibited the practice of "dehomosexualization" and closed 25 centres that engaged in the practice.

115. Ecuador had also made significant progress in the area of sexual and reproductive health and had developed a national plan on sexual and reproductive health for 2017-2021. The delegation noted that the Constitution protected life from the point of conception and that, in addition to the cases in which abortion had been decriminalized, Ecuador guaranteed medical care in all cases of obstetric emergency.

116. Ecuador thanked delegations for their constructive participation, welcomed the encouraging comments received and stressed that, in order to maintain its credibility, the universal periodic review should not be politicized. Ecuador invited all countries to join its initiative for the development of a binding instrument on transnational corporations and human rights and to work together on issues such as combating tax evasion and promoting financing for development and human rights. The delegation concluded by stating that it was sure that the Government of President Lenín Moreno, which would be sworn in on 24 May, would continue efforts to guarantee human rights and to build an inclusive and democratic society.

II. Conclusions and/or recommendations

117. **The recommendations formulated during the interactive dialogue/listed below have been examined by Ecuador and enjoy the support of Ecuador:**

117.1 **Update and continue implementing the National Plan for Good Living (Nicaragua);**

117.2 **Boost its recent ratification of the 2013 Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, in order to benefit blind people, people with visual disability or with other difficulties to access printed texts (Panama).**

118. **The following recommendations enjoy the support of Ecuador, which considers that they are already implemented or in the process of implementation:**

118.1 **Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (El Salvador) (Georgia) (Montenegro) (Portugal); Ratify the Optional Protocol to the Convention on the Rights of the Child (Hungary) on a communications procedure; Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Ghana);**

118.2 **Ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (Ghana);**

118.3 **Continue its constructive engagement with the Human Rights Council and its mechanisms (Myanmar);**

118.4 **Intensify cooperation with the Special Rapporteurs including by allowing them to visit the country (Ukraine);**

118.5 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

118.6 **Continue and strengthen its relationship of cooperation with the Office of the United Nations High Commissioner for Human Rights in order to develop an instrument for follow-up to the recommendations of the system's mechanisms (Honduras);**

118.7 **Ensure its legislation is in line with the International Covenant on Civil and Political Rights (Hungary);**

118.8 **Develop a comprehensive deinstitutionalization plan for people with disabilities that aims to support their life in their communities, and ensure inclusive education for people with disabilities (Israel);**

118.9 **Take all necessary measures to ensure that the national mechanism for the prevention of torture has a solid legal basis and enough resources for the fulfilment of its mandate (Guatemala);**

118.10 **Continue implementing the SIDERECHOS computer platform, an important tool for the monitoring, follow-up and implementation of the recommendations of the universal periodic review (Paraguay);**

118.11 **Ensure the respect of human rights of vulnerable persons, notably women, older persons, children, as well as persons with disabilities and with reduced mobility (Côte d'Ivoire);**

118.12 **Make specific efforts to combat discrimination and to improve the levels of education and health of its people (Sri Lanka);**

118.13 **Further strengthen the work of national councils for equality to promote inclusive society (Malaysia);**

118.14 **Develop and implement a national action plan for the implementation of the activities of the International Decade for People of African Descent (Sierra Leone);**

118.15 **Strengthen efforts to address racial discrimination including through implementing the Multinational Plan to Eliminate Racial Discrimination and Ethnic and Cultural Exclusion (South Africa);**

118.16 **Ensure adequate training for court officials handling cases of discrimination (Timor-Leste);**

118.17 **Progress efforts to end discrimination based on sexual orientation, gender identity and intersex status (Australia);**

118.18 **Continue to increase efforts to end discrimination against lesbian, gay, bisexual, transgender and intersex persons (Uruguay);**

118.19 **Guarantee the protection of all people from discriminatory norms and practices on the grounds of sexual orientation and gender identity in all spheres of life (Spain);**

118.20 **Continue promoting the rights of lesbian, gay, bisexual, transgender and intersex persons and protect them from violence and social and cultural discrimination (Chile);**

118.21 **Take all appropriate measures to prevent, investigate and punish manifestations of violence, intolerance and discrimination against lesbian, gay, bisexual, transgender and intersex people (Israel); Investigate, prosecute and punish those responsible for acts of violence against lesbian, gay, bisexual, transgender and intersex persons as part of its efforts to combat stereotypes and bias against them (Argentina);**

118.22 **Intensify efforts to raise public awareness to end all forms of discrimination by providing human rights education and training for government agencies, media and the public and implementing campaigns to combat gender stereotypes and violence (Thailand);**

118.23 **Fight against discrimination based on sexual orientation and gender identity, especially against children, carrying out public awareness programmes and teacher training on this subject (France);**

118.24 **Continue efforts aimed at strengthening the measures necessary for the protection of the rights of older persons (Morocco);**

118.25 **Pursue its policy regarding protection of the rights of nature (Algeria);**

118.26 **Step up efforts to pursue policies and programmes for a healthy environment (Philippines);**

118.27 **Advance in the implementation of the Guiding Principles on Business and Human Rights at the national level as a complement to Ecuador's efforts to establish a binding instrument on transnational corporations and human rights (Chile);**

118.28 **Pursue ongoing efforts to conclude an internationally binding instrument on transnational corporations and business and human rights (Egypt);**

118.29 **Maintain the leadership in the process for the elaboration of a legally binding instrument on transnational companies and human rights (Cuba);**

118.30 **Continue your claims in light of the refusal of transnational companies to repair the serious environmental damage in the Amazon (Cuba);**

118.31 **Ensure training for law enforcement and security forces in relation to human rights standards in management of peaceful assemblies, ensure all allegations of excessive use of force and arbitrary detention are investigated and that perpetrators are prosecuted (Ireland);**

118.32 **Ensure the prevention and effective investigation of forced disappearances of and violence against women (Sweden);**

118.33 **Take the necessary measures to eliminate cases of torture in prisons (Iraq);**

118.34 **Acknowledge the existence of the so-called "rehabilitation clinics" and "sexual reorientation" therapies and take measures to eradicate them (Israel);**

118.35 **Eliminate practices of forced placement in clinics for treatment to allegedly "cure" the sexual orientation or gender identity of lesbian, gay,**

bisexual, transgender and intersex persons, and ensure due accountability for the persons responsible, as well as full reparation for victims (Portugal);

118.36 **Ensure judicial independence and diversity in judicial appointments (Australia);**

118.37 **Take steps to ensure and protect the full independence and impartiality of the judiciary (Estonia);**

118.38 **Take all the necessary steps in order to ensure the independence of the judiciary (Greece);**

118.39 **Ensure and protect the full independence and impartiality of the judiciary and guarantee that it can carry out its judicial functions without any form of pressure or interference (Israel);**

118.40 **Continue its efforts for the judicial reforms to promote and protect the independence of judiciary (Pakistan);**

118.41 **Strengthen efforts to ensure and protect the full independence and impartiality of the judiciary, and facilitate a broad and participatory dialogue on the challenges in the administration of justice (Paraguay);**

118.42 **Comply with its commitments to guarantee and strengthen the independence of the judiciary (Slovakia);**

118.43 **Continue to adopt further measures to guarantee the independence and professionalization of the judicial power (Spain);**

118.44 **Strive to ensure the full separation of the judiciary from the executive branch as far as appointments of senior judicial officials are concerned (Bangladesh);**

118.45 **Take measures including investigation of unfair dismissal of judges and ensure the independence and impartiality of the judicial system (Botswana);**

118.46 **Further continue ensuring equal access to justice and equal treatment of all Ecuadorians by the courts (Ethiopia); Continue its efforts to guarantee access to justice to all (Azerbaijan);**

118.47 **Continue efforts to ensure the independence and impartiality of the judiciary, especially with respect to the rights of the defence and to transparency in judicial procedures (France);**

118.48 **Establish mechanisms to ensure that investigations of allegations of grave human rights violations are conducted in a comprehensive, independent and impartial manner to expedite sanction and redress procedures (Mexico);**

118.49 **Take urgent measures to accelerate judicial investigations and punish the perpetrators of the human rights violations described in the report of the Truth Commission (Argentina);**

118.50 **Continue upholding high standards in ensuring the right to vote, also in the future (Russian Federation);**

118.51 **Align national laws and regulations on freedom of expression with international human rights standards (United Kingdom of Great Britain and Northern Ireland);**

118.52 **Take additional steps to ensure that national laws and regulations are fully aligned with international standards, with a view to safeguarding freedom of expression and the right to peaceful assembly (Brazil);**

118.53 **Protect journalists, human rights defenders and other representatives of civil society against acts of intimidation and violence to which their activities may expose them (Belgium); Take measures to ensure the protection of journalists and human rights defenders (Costa Rica);**

118.54 **Analyse the adoption of legal provisions and administrative actions to strengthen the free enjoyment of the rights of freedom of expression and association, as well as the independence and impartiality of the judiciary (Costa Rica);**

118.55 **Guarantee a safe and enabling environment to all human rights defenders, investigate all allegations of attacks, harassment and intimidation against them, and ensure that the legislation on freedom of expression, including online, is fully in compliance with article 19 of the International Covenant on Civil and Political Rights (Estonia);**

118.56 **Further enhance the freedom of expression, especially of journalists and social media users (Greece);**

118.57 **Guarantee a favourable environment for the work of all civil society actors active in the field of the protection and promotion of human rights (Hungary);**

118.58 **Establish specialized protection mechanisms to ensure the safe and independent work of civil society and human rights defenders (Mexico);**

118.59 **Develop all possible efforts to preserve freedom of expression in the media and social networks, in accordance with the recommendations of the universal and regional human rights systems (Peru);**

118.60 **Make efforts to review existing relevant legislation to secure the full exercise of the freedom of expression and association (Republic of Korea);**

118.61 **Promote, protect and respect the right to freedom of expression, assembly and association in compliance with the country's international human rights obligations (Slovakia); Take concrete measures to promote and protect the right to freedom of opinion and expression, in accordance with what is stated in article 19 of the Universal Declaration of Human Rights (Sweden);**

118.62 **Adopt the appropriate measures to guarantee the free exercise of the rights of assembly and association without unjustified restrictions and to respect the legitimate space of civil society, journalists and human rights defenders (Spain);**

118.63 **Adopt the necessary measures to ensure that the implementation of the Organic Act on Communication is in conformity with the right to freedom of expression and the relevant international standards (Switzerland);**

118.64 **Strengthen prevention of and protection against intimidation, threats and violence against civil society, including human rights defenders and trade unions critical of the Government, and fully guarantee freedom of expression, both offline and online (Czechia);**

118.65 **Fully guarantee freedom of expression and freedom of assembly and protect journalists and human rights defenders against threats and aggression (France);**

118.66 **Consolidate an environment suitable for human rights defenders and establish a mechanism for their protection (Republic of Korea); Further consolidate an environment suitable for the work of human rights defenders (Ukraine);**

118.67 **Ensure that it grants the right to freedom of association and the possibility for associations to carry out their work without undue restrictions (Sweden);**

118.68 **Strengthen legislation to combat trafficking, sexual and labour exploitation and other types of exploitation of persons, in particular women and children (Botswana);**

118.69 **Adopt a comprehensive law against trafficking in persons (Sierra Leone); Adopt a comprehensive law against trafficking in persons (Ukraine);**

Draw up and implement a comprehensive law on trafficking in persons (Armenia); Consider the possibility of adopting a separate law combating trafficking in persons (Belarus);

118.70 **Further intensify its efforts to combat human trafficking in line with implementing the National Plan and address properly protection of victims of human trafficking (Islamic Republic of Iran);**

118.71 **Consider updating the National Plan on combating human trafficking (Iraq);**

118.72 **Ensure the effective implementation of policies and operations aimed at dismantling trafficking networks and smuggling of migrants (Philippines);**

118.73 **Increase its efforts to implement the National Plan to Combat Trafficking in Persons (Timor-Leste); Increase efforts to implement the National Plan to Combat Trafficking in Persons (Turkey); Increase efforts to implement the National Plan to Combat Trafficking in Persons and the National Agenda on Equality for Human Mobility (Uganda);**

118.74 **Bring all legislation concerning communication surveillance into line with international human rights standards and especially require a test of necessity and proportionality for all communications surveillance (Liechtenstein);**

118.75 **Continue strengthening efforts to ensure the economic, social and cultural rights of citizens (Russian Federation);**

118.76 **Continue to promote socioeconomic development so as to improve people's living standards (China);**

118.77 **Further advance in pursuing the fair distribution of national wealth (Bolivarian Republic of Venezuela);**

118.78 **Strengthen measures to further reduce the gap in the redistribution of wealth as part of its ongoing efforts toward poverty eradication (Indonesia);**

118.79 **Continue its efforts in the fight against poverty and in favour of people in vulnerable situations (Paraguay);**

118.80 **Continue developing programmes to fight against poverty in Afro-Ecuadorian families and facilitate their full participation in public life (Djibouti);**

118.81 **Continue with its programmes for improving the living standards of its citizens, including indigenous peoples, Afro-Ecuadorians and Montubios (Namibia);**

118.82 **Improve access for Afro-Ecuadorians to decent housing, education and good living (Uganda);**

118.83 **In follow-up to recommendations 135.8, 135.9, 135.15 and 135.16 of the second cycle, increase economic and social investment to improve equality of access, opportunities and needs under the "Sumak Kawsay" programmes for Afro-Ecuadorian families and to facilitate their full participation in public life (Haiti);**

118.84 **Continue to take effective measures to fully implement its SigTierras programme in order to ensure that rural women have equal access to land titles (Namibia);**

118.85 **Carry out the necessary measures to protect the environment and adopt specific measures to protect the enjoyment of the right to water (State of Palestine);**

118.86 **Expand social security coverage and ensure equal access for ethnic minorities (China);**

118.87 **Continue efforts to recognize decent work, to reduce structural underemployment and gradually expand the purchasing power of labour income, in the context of strengthening the social and solidarity-based economic system (Nicaragua);**

118.88 **Continue to implement policies that increase access to employment, in particular for youths and in rural areas (Singapore);**

118.89 **Introduce targeted strategies and labour market reforms to promote women's increased participation in formal sector employment, including by alleviating barriers to such participation (Bahamas);**

118.90 **Continue efforts to allow women access to formal employment (Algeria);**

118.91 **Continue efforts to end child labour through the establishment of an inter-agency coordination mechanism at the national and subnational levels in order to implement the National Plan for the Prevention and Eradication of Child Labour (Maldives);**

118.92 **Reinforce the relevant legislative provisions to reduce child labour and to punish those who contravene them (Panama);**

118.93 **Continue efforts to further reduce child labour and to punish those who employ children, in clear violation of the legislative provisions relating to child labour (Uruguay);**

118.94 **Continue efforts to promote health-care facilities, particularly in rural areas with the focus on tackling malnutrition (Malaysia);**

118.95 **Continue its efforts to improve health through expanding its Zero Malnutrition programme to cover as much of its population as possible (Maldives);**

118.96 **Continue to develop, implement, monitor and strengthen policies to reduce rates of obesity and the incidence of non-communicable diseases (Bahamas);**

118.97 **Continue to strengthen measures to deal with teenage pregnancies, by promoting access to reproductive health services for all, including sexual and reproductive health education, as well as counselling services and health care adapted to young people, in accordance with the commitments in the Montevideo Consensus on Population and Development (Uruguay);**

118.98 **Ensure that all girls and women have access to comprehensive sexual and reproductive health promotion and care, including access to modern contraceptive methods (Estonia); Ensure that all women and girls have access to affordable and modern contraceptive methods (Iceland);**

118.99 **Implement its comprehensive health promotion policy and its policy framework for the elimination of discrimination against women (South Africa);**

118.100 **In line with ongoing efforts in the field of sexual and reproductive health, take measures to combat violence against women and promote gender equality (France);**

118.101 **Continue efforts to reform the education system because it is an important element to reduce poverty (Morocco);**

118.102 **Continue to increase investment in education and strengthen infrastructure for education (China);**

118.103 **Continue to reduce the gap between urban and rural areas in the field of education (Democratic People's Republic of Korea);**

118.104 **Step up efforts to ensure access to quality education for all children, including those from minority groups and rural areas (Thailand);**

118.105 Continue increasing public investment in education and continue its efforts to implement the strategies of educational inclusion, paying special attention to areas with difficult access and to children (State of Palestine);

118.106 Further continue efforts to eliminate the gap in accessing education between rural and urban areas and the dropout rates among indigenous and Afro-descendant students (Ethiopia);

118.107 In efforts to tackle the problem of illiteracy, continue to promote access to quality education in rural areas, which would bring long-term benefits to women, youths and indigenous groups in rural areas (Malaysia);

118.108 Continue the policy of inclusive education, especially in rural areas (Libya);

118.109 Pursue and scale up the implementation of inclusive education policies (Slovenia);

118.110 Continue its efforts towards implementation of the inclusive education policies it has developed (Azerbaijan);

118.111 Scale up the implementation of inclusive education policies, paying special attention to vulnerable groups (Ukraine);

118.112 Improve the educational system, particularly by enhancing access to marginalized groups and those living in remote areas (Indonesia);

118.113 Continue strengthening Ecuador's excellent education policy (Bolivarian Republic of Venezuela);

118.114 Take the necessary measures to ensure the full participation of all citizens, in particular vulnerable groups, in the education system and in the administration of public affairs (Angola);

118.115 Continue to ensure access to quality education for all Ecuadorians through continuous improvements in the training of educators (Singapore);

118.116 Increase access to quality education by indigenous and Afro-Ecuadorian women and those in rural areas (Bahamas);

118.117 In follow-up to recommendations 135.8, 135.48 and 135.55 of the second cycle, continue to improve the quality of public education, particularly for those living below the poverty line, with emphasis on psychological health and the psychosocial elements of a quality learning environment (Haiti);

118.118 Continue promoting access to education and the design of public policies aimed at increasing education coverage for girls living in rural areas, in particular indigenous and Afro-Ecuadorian girls (Chile);

118.119 Continue combating all forms of discrimination against women (Djibouti);

118.120 Step up efforts to eliminate all forms of discrimination against women (Greece);

118.121 Address social and cultural stereotypes underpinning discrimination and violence against women and ensure women's participation in decision-making (Ukraine);

118.122 Strengthen efforts to prevent and combat all forms of discrimination and violence against women and children and other vulnerable groups (Italy);

118.123 Intensify measures, including human rights training, to raise awareness of gender equality (Turkey);

118.124 Continue efforts to eradicate gender-based violence (Georgia);

118.125 Continue its efforts to reduce and eradicate gender-based violence, ensuring due diligence in the pursuit and prosecution of acts of this nature and

providing relevant training to the competent authorities on the protection of, and prevention of violence against, women and girls (Nicaragua);

118.126 Continue to improve the procedures for prosecuting and sanctioning those responsible for acts of violence against women, as well as guaranteeing constant monitoring of the implementation of the national plan to eradicate gender-based violence against children (El Salvador);

118.127 Further strengthen mechanisms fostering prosecution of all perpetrators of gender-based violence (Slovakia);

118.128 Constantly monitor the implementation of the national plan for the eradication of gender-based violence against children adolescents and women, in order to ensure the proper investigation, prosecution and punishment of the persons responsible for acts of violence against women (Portugal);

118.129 Intensify efforts in the fight against violence against women and child abuse, to guarantee that normative and institutional measures adopted are effective to address the problem (Spain);

118.130 Systematically collect data on violence against women, sexual violence and trafficking (Sweden);

118.131 Ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);

118.132 Grant all the necessary resources for the establishment of the judicial units specialized on legal provisions related to violence against women (Panama);

118.133 Strengthen protection mechanisms for women victims of violence, from the first moment of the complaint (Paraguay);

118.134 Further strengthen the human rights institutions to ensure better protection of the rights of children, women and indigenous people (Pakistan);

118.135 Continue to implement administrative and judicial measures for the effective protection of women and girls against sexual violence and abuse and for the punishment of perpetrators (Brazil);

118.136 Continue strengthening universal birth registration services in the country, ensuring that they are free and accessible to all (Slovakia);

118.137 Prohibit corporal punishment of children in all settings (Iceland);

118.138 Introduce and enforce legislation prohibiting corporal punishment of children in all settings, including in the family, schools and all places of deprivation of liberty (Liechtenstein);

118.139 Enact legislation to explicitly prohibit corporal punishment of children in all settings (Montenegro);

118.140 Continue combating all forms of child abuse (Djibouti);

118.141 Ensure that all ill-treatment and sexual violence against children in educational settings is promptly, efficiently and impartially investigated, that perpetrators are brought to justice and that the victims receive reparation and are provided with the protection and support they require (Belgium);

118.142 Implement, consistently, norms and public policies to promote the rights of people with disabilities (Cuba);

118.143 Make further efforts for the protection of rights of persons with disabilities and share good experiences in this regard (Democratic People's Republic of Korea);

118.144 Continue taking measures in order to protect the rights of persons with disabilities and develop programmes to ensure their enjoyment of their rights to education, health, housing and labour (Egypt);

118.145 Continue to address the promotion and protection of the rights of persons with disabilities by developing specific employment programmes (Islamic Republic of Iran);

118.146 Continue efforts to ensure that persons with disabilities can find employment and to provide them with medical assistance in rural areas (Libya);

118.147 Strengthen measures to enhance the welfare of vulnerable groups including persons with disabilities (Myanmar);

118.148 Strengthen suitable mechanisms for the identification of situations of violence against persons with disabilities (Paraguay);

118.149 Continue with the policies promoting the human rights of vulnerable groups, in particular indigenous peoples, peasants and other persons working in rural areas (Plurinational State of Bolivia);

118.150 Strengthen the measures Ecuador has taken to address the needs of indigenous peoples (Côte d'Ivoire);

118.151 Continue efforts to establish effective consultation processes with communities in accordance with international standards with regard to any project that affects the territory or livelihoods of indigenous people (El Salvador); Further strengthen consultations with indigenous populations to fulfil their economic, social and cultural rights (Republic of Korea); Develop transparent procedures for prior consultations with indigenous peoples on the use of indigenous lands (Sierra Leone); Establish effective consultation processes with the indigenous peoples and communities concerned for any project that might affect their territory or livelihoods (Estonia); Institutionalize the right to consultation of indigenous peoples and involve civil society and indigenous groups in the elaboration of a functioning consultation mechanism according to the country's commitments under the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Norway); Promote the active participation of indigenous people in the decision-making process on issues concerning them, especially regarding land and territories (Peru);

118.152 Ensure the effective holding of prior, free and informed consultations with indigenous groups on policies that affect their way of life or culture (Mexico);

118.153 With the participation of indigenous persons, communities and their respective organizations, adopt a legal framework that ensures respect for the principles in the United Nations Declaration on the Rights of Indigenous Peoples (Canada);

118.154 Strengthen its human rights protection mechanisms for vulnerable groups and indigenous peoples (Greece);

118.155 Take adequate measures to guarantee the protection of isolated indigenous peoples, including the respect for intangible zones (Norway);

118.156 Redouble its efforts to obtain, in law and in practice, the inclusion of migrants in all spheres, in particular of women in the labour market (Honduras);

118.157 Expedite the introduction of a statelessness determination procedure and ensure that it is in line with international standards and guidance from the Office of the United Nations High Commissioner for Refugees (Slovakia).

119. The following recommendations will be examined by Ecuador, which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council:

119.1 Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Armenia);

119.2 **Fully cooperate with the International Criminal Court and fully align its national legislation with the obligations and definitions of crimes and principles contained in the Rome Statute and ratify the Kampala amendments to the Rome Statute (Liechtenstein);**

119.3 **Adhere to and adapt its national legislation to the Arms Trade Treaty (Guatemala);**

119.4 **Develop a national strategy to tackle modern slavery and contribute towards the realization of Sustainable Development Goal 8.7, and, as part of this, ratify the ILO Protocol of 2014 to the Forced Labour Convention, 1930, and build law enforcement capability to further facilitate the investigation, prosecution and conviction of human traffickers (United Kingdom of Great Britain and Northern Ireland).**

120. **The recommendations formulated during the interactive dialogue/listed below have been examined by Ecuador and have been noted by Ecuador:**

120.1 **End the policy of providing two different types of identity documents for trans and cisgender people (Israel);**

120.2 **Implement a national strategy to improve the situation and social integration of the Roma population (Hungary);**

120.3 **Take steps to recognize the Roma people as its own citizens and to protect them against racial discrimination (Bangladesh);**

120.4 **Develop and adopt a national action plan on business and human rights, including measures on access to remedy, paying special attention to the position of human rights defenders (Netherlands);**

120.5 **Review and amend the relevant legislation and practice in order to strengthen the independence of justice, ensure merit-based appointment of judges and protect their work against political interference (Czechia);**

120.6 **Guarantee the independence of the judiciary by reforming article 109, number 7, of the Organic Code of the Judiciary in order to clearly delimit, in accordance with international law, the figure of "inexcusable error", which is now insufficiently safeguarded against misuse for targeting judges (Netherlands);**

120.7 **Consider the adaptation of its legislation, especially the figure of "inexcusable error", in order to fully guarantee the independence of the judiciary (Peru);**

120.8 **Remove or alter the broad definition and arbitrary application of "inexcusable error" used by the Judicial Council to punish judges (United States of America);**

120.9. **Eliminate the catch-all clause "inexcusable error" in article 109 of the Organic Code of the Judiciary and create a legal framework to ensure the full independence and impartiality of the judiciary in compliance with the Basic Principles on the Independence of Judiciary (Germany);**

120.10 **Review article 109.7 of the Organic Code of the Judiciary with a view towards guaranteeing judicial independence, including through the independent selection of judicial authorities (Canada);**

120.11 **Fully respect the right to freedom of expression, association and peaceful assembly by reviewing the laws, policies and programmes that regulate civil society and by amending or repealing any laws that allow the State to use force against peaceful demonstrators, arbitrarily detain protestors, restrict civil space and arbitrarily shut down the activities of civil society organizations. Such laws include articles 336, 339, 345, 346 of the Comprehensive Criminal Code as well as articles 22, 23, 24 of Presidential Decree No. 739 (Canada);**

120.12 **Create and maintain in law and in practice a safe and enabling environment for civil society and human rights defenders, including by amending its laws to ensure compliance with the International Covenant on Civil and Political Rights and full independence of the judiciary in line with international standards (Ireland);**

120.13 **Guarantee freedom of expression and peaceful association and safeguard the activities of journalists and human rights defenders, also by amending relevant legislation in order to align it with best practices and international standards in the area of freedom of expression (Italy); Adopt the necessary legislative measures to ensure the full enjoyment of the right to freedom of opinion and expression in all its forms, through the elimination of excessive restrictions on its exercise (Mexico);**

120.14 **Review the Organic Act on Communication and relevant executive decrees so that media outlets, civil society organizations and trade unions can operate freely, cannot be arbitrarily sanctioned or disbanded and have access to effective remedy (Czechia); Address concerns arising under the Organic Act on Communication (2013) which impose an increased level of self-censorship on media outlets (Australia); Promote the exercise of freedom of expression without undue restrictions, by amending or repealing the 2013 Organic Act on Communication (United States of America);**

120.15 **Eliminate all forms of discrimination and criminalization of civil society organizations, human rights defenders and the media, inter alia by repealing Executive Decrees Nos. 16, 739 and 691 and the Organic Act on Communication and by ending criminal proceedings against persons participating in social protests based on broadly worded offences contained in the Criminal Code, such as sabotage and terrorism (Germany); Consider revising Executive Decree No. 739 on the regulation of social organizations and the Organic Act on Communication in the light of international commitments on human rights (Costa Rica); Revise Presidential Decrees Nos. 16 and 739, the Criminal Code, as well as the Organic Act on Communication to bring them into line with international human rights norms (Belgium); Reform Presidential Decrees Nos. 16 and 739 and any draft law in this field to ensure the protection of human rights defenders and to ensure the independence and functioning of civil society organizations, notably by accepting the offer of technical assistance from the United Nations special rapporteurs to reform the current legislation (Switzerland); Ensure civil society organizations are able to operate freely, including groups that may be critical of the Government, by amending or repealing Presidential Decrees Nos. 16 and 739 (United States of America);**

120.16 **Take the necessary steps to ensure that all operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein);**

120.17 **Advance in reforming the Criminal Code to decriminalize abortion (Norway); Repeal laws criminalizing abortion in cases of rape, incest and severe fetal impairment and eliminate all punitive measures (Iceland); Reform the Comprehensive Criminal Code in relation to the legal extension of abortion and to decriminalize abortion in cases of rape, incest and severe fetal impairment (Slovenia);**

120.18 **Repeal the provision of the Civil Code that designates the husband as the administrator of marital property (Iceland); Repeal the legal provision that designates the husband as the administrator of marital property (Portugal);**

120.19 **Repeal Decree No. 1247 and establish clear procedures in secondary legislation in order to implement the right to free, prior and informed consent of indigenous peoples, regarding legislative or administrative measures affecting their territories and livelihood, as contained in the Constitution of**

Ecuador and in the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) (Germany).

121. **Ecuador could not support the recommendations in paragraphs 120.1-120.3 and 120.18 as it considers that they contain factually incorrect information.**

122. **Ecuador could not support the recommendations in paragraphs 120.5-120.15, 120.17 and 120.19 as it considers that the legislation to which they refer is already in line with international standards.**

123. **Ecuador could not support the recommendation in paragraph 120.16 as it considers that the existing National System of Public Security, including the National Secretariat of Intelligence, is regulated by the Public Security Law, which provides for civil and democratic control.**

124. **Ecuador could not support the recommendations in paragraph 120.4 as it considers that there is no need for a national action plan since Ecuador already has in place a binding legislative and policy framework, including the Constitution of the Republic, the Code of Production, Trade and Investment, the Organic Monetary Code and the Comprehensive Criminal Code, among others, that provides for the full protection and promotion of human rights in the context of business operations. This framework is complemented by other norms, plans and programmes in different areas related to business and health, nature, agriculture, fair trade and intellectual property, violence and child labour, and security in public and private entities, inter alia.**

125. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

III. Voluntary pledges and commitments

126. The State of Ecuador assumed the following voluntary commitments:

(a) Through cooperation with the United Nations system, Ecuador commits to continue strengthening the SIDERECHOS electronic platform, in order to maintain its permanent operation and ensure the follow-up to the fulfilment of human rights recommendations and commitments adopted within the framework of the United Nations system;

(b) Ecuador pledges to continue leading the implementation Human Rights Council resolution 26/9 on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights, including through sharing best practices in legislation and policymaking;

(c) Ecuador pledges to share with the international community the Ecuadorian experience on the protection and promotion of the human rights of people in human mobility situations;

(d) Ecuador pledges to share with the international community the Ecuadorian experience on the protection and promotion of human rights related to reform of the judiciary.

Annex

[*Original: English/Spanish*]

Composition of the delegation

The delegation of Ecuador was headed by the Minister of Foreign Affairs and Human Mobility, Guillaume Long, and composed of the following members:

- Guillaume Long, Ministro de Relaciones Exteriores y Movilidad Humana;
- Ledy Zuñiga, Ministra de Justicia, Derechos Humanos y Cultos;
- Rosana Alvarado, Vicepresidenta de la Asamblea Nacional;
- Verónica Espinosa, Ministra de Salud Pública;
- César Navas, Ministro Coordinador de Seguridad;
- Patricio Barriga, Secretario Nacional de Comunicación;
- María Carola Iñiguez Zambrano, Subsecretaría de Organismos Internacionales Suprarregionales del Ministerio de Relaciones Exteriores y Movilidad Humana;
- Natalia Bolaños, Subsecretaria de Adolescentes Infractores del Ministerio de Justicia, Derechos Humanos y Culto;
- Tammy Lorena Vallejo Silva, Subsecretaría Nacional de Comunicación — SECOM;
- Carlos Andrade, Subsecretario de Pueblos y Nacionalidades;
- Karina Peralta, Vocal Principal del Consejo de la Judicatura;
- Ricardo Velasco, Director de Derechos Humanos de la Procuraduría General del Estado;
- María Amelia Espinosa, Directora de Derechos Humanos del Ministerio de Justicia, Derechos Humanos y Cultos;
- Lee Brown, Asesor Despacho Ministerial;
- David Tellez, Asesor del Ministerio Coordinador de Seguridad;
- Daniela Saa, Funcionaría de la Subsecretaría de Organismos Internacionales y Suprarregionales;
- María Fernanda Espinosa, Embajadora, Representante Permanente ante la ONU Ginebra;
- Arturo Cabrera, Embajador, Representante Permanente Alterno ante la ONU Ginebra;
- Luis Espinosa, Ministro, Misión Permanente ante la ONU Ginebra;
- Walter Schuldt, Primer Secretario, Misión Permanente ante la ONU Ginebra;
- Juan Pablo Cadena, Primer Secretario, Misión Permanente ante la ONU Ginebra;
- Analucía Jácome, Analista en Derechos Humanos, CDH, Misión Permanente ante la ONU Ginebra.